

REMARKS

Applicants are grateful to the Examiner for carefully reviewing the case and for indicating allowable subject matter. Applicants respectfully request reconsideration of this application as amended. No claims have been amended. Claims -5, 7, 9-11, 13-14, 17-26, 29 and 32-33 have been cancelled without prejudice. No new claims have been added. Therefore, claims 1-2, 6, 8, 12, 15-16, 27-28, 30-31 and 34-35 are presented for examination.

Drawing Objection

The drawings are objected to by the Examiner because they are not properly identified or labeled.

A set of replacement drawings is submitted herewith. No substantive changes are made to the drawing. For example, the original Figure 5 listed "Y" and "N" for yes and no, respectively, while the new replacement drawings spell out the Yes and the No. Similarly, "subject line 312" of Figure 3 was mistakenly changed to "subject time 312" in the drawings submitted on July 3, 2003. But, the replacement drawings submitted herewith correct the term back to "subject line 312". Accordingly, Applicants respectfully request the withdrawal of the objection of the drawings.

35 U.S.C. § 112 Rejection

Claims 1, 2, 6, 8, 12, 15, 16, 27, 28, 30, 31, 34 and 35 stand rejected under 35 U.S.C. §112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements.

Applicants respectfully disagree with the Examiner's rejection as well as the characterization of the claims. Applicants respectfully submit that they are under no legal

obligation to claim each and every element disclosed in the Specification. Furthermore, Applicants disagree with the Examiner's objection to the use of Short Messaging Service (SMS). Claim 1 recites "determining a delivery vehicle associated with a device from the delivery vehicle list, wherein the delivery vehicle includes one or more of Global System for Mobiles (GSM), Short Messaging Service (SMS), and Simple Mail Transfer Protocol (SMTP); if the device uses the SMTP, sending the customized notice corresponding to the email to the device via the SMTP; and if the device does not use the SMTP and use the GSM, sending the customized notice corresponding to the email to the device via the SMS." (emphasis added). In claim 1, SMS is referred to as a deliver vehicle and is used to send the customized notice corresponding to the email to the device if the device does not use the SMTP and use the GSM. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 1 and its dependent claims.

Claims 8 and 15 include limitations similar to those of claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 8 and 15 and their dependent claims.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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